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CITY OF LOS ANGELES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

A.D., individually and as Successor
In Interest to MOISES DE LA
TORRE, deceased, by and through his
Guardian Ad Litem, JULIA
ALVARADO, PEDRO DE LA
TORRE, SR., individually, and
OFELIA DE LA TORRE,
individually,

Plaintiffs,

VS.

CITY OF LOS ANGELES, official
municipal entity, and DOES I
through 10, inclusive

Defendants

Case No.: CV13-6510-JFW (ASx)

[Assigned to Hon. John F. Walter]

(Complaint Filed: 09-13-13)

[PROPOSED]
PROTECTIVE ORDER

***NOTE CHANGES MADE BY THE
COURT***

THE PARTIES HAVING STIPULATED TO THE FOLLOWING, this Court
hereby orders as follows:

1. The parties may designate as confidential the following:

[A] Force Investigation Division ("FID") Reports Including any
Statements of Police Personnel Associated with any Such Report
all of which the parties believe might contain information of a privileged, confidential,
private or sensitive nature, by affixing to such document or writing a legend, such as

1 “Confidential.” “Confidential Documents,” “Confidential Material,” “Subject to
2 Protective Order” or words of similar effect. These categories of documents and writings
3 so designated, and all information derived therefrom (hereinafter, collectively,
4 “Confidential Information”), shall be treated in accordance with the terms of this
5 stipulation. The parties may also designate deposition testimony, or portions thereof,
6 which fall within these categories as Confidential Information.

7 2. Confidential Information may be used by the persons receiving such
8 information only for the purpose of this litigation.

9 3. Subject to the further conditions imposed by this stipulation, Confidential
10 Information may be disclosed only to the following persons:

11 (a) Parties to the litigation, counsel for the parties, and experts,
12 investigators, paralegal assistants, office clerks, secretaries and other such personnel
13 working under their supervision;

14 (b) Such other parties as may be agreed by written stipulation among the
15 parties hereto.

16 4. Prior to the disclosure of any Confidential Information to any person
17 described in paragraph 3(a) or 3(b), counsel for the party that has received and seeks to
18 use or disclose such Confidential Information shall first provide any such person with a
19 copy of this stipulation, and shall cause him or her to execute, on a second copy which
20 counsel shall thereafter serve on the other party the following acknowledgment:

21 “I understand that I am being given access to Confidential
22 Information pursuant to the foregoing stipulation and order.
23 I have read the Order and agree to be bound by its terms
24 with respect to the handling, use and disclosure of such
25 Confidential Information.

26 Dated: _____/s/_____”

27 5. Upon the final termination of this litigation, including any appeal pertaining
28 thereto, all Confidential Information and all copies thereof shall be returned to the party

1 who disclosed the documents or destroyed, except as to Court personnel.

2 6. If any party who receives Confidential Information receives a subpoena or
3 other request seeking Confidential Information, he, she or it shall immediately give
4 written notice to the **designating** party's counsel, identifying the Confidential
5 Information sought and the time in which production or other disclosure is required, and
6 shall object to the request or subpoena on the grounds of this stipulation so as to afford
7 the **designating** party an opportunity to obtain an order barring production or other
8 disclosure, or to otherwise respond to the subpoena or other request for production or
9 disclosure of Confidential Material. Other than objecting on the grounds of this
10 stipulation, no party shall be obligated to seek an order barring production of
11 Confidential Information. However, **absent a Court order to the contrary**, in no event
12 should production or disclosure be made without written notice to **the designating**
13 party's counsel after serving written notice to the party's counsel.

14 7. Any pleadings, motions, briefs, declarations, stipulations, exhibits or other
15 written submissions to the Court in this litigation which contain, reflect, incorporate or
16 refer to Confidential Information shall be filed and accompanied by an application
17 pursuant to Local Rule 79-5.1, to file the papers - or the confidential portion(s) thereof -
18 under seal. Such application shall be directed to the judge to whom the papers are
19 directed. Pending the ruling on the application, the papers or portions thereof subject to
20 the sealing application shall be lodged under seal.

21 8. Counsel for the parties hereto agree to request that any motions, applications
22 or other pre-trial proceedings which could entail the discussion or disclosure of
23 Confidential Information be heard by the Court outside the presence of the jury, unless
24 having heard from counsel, the Court orders otherwise. Counsel for the parties further
25 agree to request that, during any portion of the trial of this action which could entail the
26 discussion or disclosure of Confidential Information, access to the courtroom be limited
27 to parties, their counsel and other designated representative, experts or consultants who
28 agree to be bound by this stipulation, and court personnel, unless having heard from

1 counsel, the Court orders otherwise.

2 9. Nothing herein shall prejudice any party's rights to object to the introduction
3 of any Confidential Information into evidence, on grounds including but not limited to
4 relevance and privilege. In the event of a dispute regarding the designation of
5 confidential information, the parties shall follow the procedure set forth in Local Rule 37
6 for obtaining a decision from the Court.

7 10. GOOD CAUSE STATEMENT. The parties believe that the Confidential
8 Information specified in Paragraph 1, above, are described with sufficient particularity to
9 comply with Ninth Circuit standards for protective orders.

10 The parties further believe that disclosure of documents designated in categories
11 listed in Paragraph 1[A] would subject police officers to unnecessary harassment, violate
12 police officers' right to privacy, and put the lives and livelihood of the police officers'
13 and their families at risk of imminent harm.

14 11. This protective order is to be effective on the date the order is signed by the
15 Court.

16 12. This Protective Order survives settlement, trial and/or appeal.

17
18 ***IT IS SO ORDERED.***

19
20 DATED: April 23, 2014

21 / s /
HONORABLE ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE